REMARKS

INTRODUCTION

Claims 1-20 were previously and are currently pending and under consideration.

Claims 1-20 are rejected.

Claims 1, 7, 11, 16, 17, and 20 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

REJECTIONS UNDER 35 USC §§ 102 AND 103

In the Office Action, at pages 2-7, claims 1-4, 6-9, 11-14, and 16-20 were rejected under 35 U.S.C. § 102 as anticipated by Finsterwald. At pages 7-9, claims 5, 10, and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over Finsterwald in view of Tomida, and further in view of Naftzger. These rejections are traversed and reconsideration is requested.

Finsterwald discusses a system for collecting sales and customer information. A set of codes are generated in advance by a manufacturer. The codes are printed on a product's packaging or are added to a receipt printed by a retailer. Information of the sale is collected at a data collecting station 1. After the sale, the customer uses a terminal or web browser to enter their personal information (e.g. name, address, etc.) along with the code of their prior purchase. The code is validated by comparing it to a list of the pre-generated codes. If validated, the personal information and information of the sale are linked together.

Finsterwald discusses linking POS sale information with the personal information entered by the customer. At column 9, lines 15-25, Finsterwald discusses the customer providing his identity and code number. If the code is valid, "additional information associated with the transmitted code and stored in the data collecting station 1 before the code transmission [by the customer] are in particular transferred from the reference memory 4 into the customer ... data bank 3 and associated with the respective customer" (column 9, lines 45-50). This "additional information" is characterized as product specification and price (column 8, lines 16-24), and also "this [additional] information being respectively associated with the associated code and, for

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example, relating to the nature of the product or of the service, to the place of production or point of sale, to the time of production or the time of sale" (column 3, lines 4-11). The "additional information basically also makes it possible to obtain additional information concerning the purchase behaviour of a particular customer" (column 3, lines 16-19). The "additional information" is not entered after the sale by the customer.

The claims are amended to emphasize a difference in the information entered by the customer and used to link the customer's later-entered personal information to the sale information. As seen in Figure 11 and discussed at page 22, lines 20-27 of the specification, the deal or sale information entered by the customer (input area 57 in Figure 11, and lower portion of Figure 12) is compared to the sales information collected from the POS. The information includes, time, place, and retailer of the sale. The comparison determines, based on this information, whether the information from the customer correctly corresponds to sale information.

In contrast, Finsterwald uses only a <u>code</u> to link sale information ("additional information") to the personal information received from the customer. See Figure 1 item 18, column 2 lines 52-62. The claims are amended to clarify that the sales information is information identifying the retailer, the time, and the location of the transaction, which is used as a basis for comparison.

Withdrawal of the rejection is respectfully requested.

It is also respectfully noted that the portions of Finsterwald cited for rejecting claims 2-4 are information collected from the retail seller but not from the customer. In other words, in Finsterwald the customer only provides a code and personal information, but not details of the sale. Withdrawal of the rejection of claims 2-4 is also respectfully requested.

DEPENDENT CLAIMS

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claim 6 recites "transmitting to a computer operated by the purchaser a screen data that makes a browser program executed in the

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computer display a screen containing an input area for inputting the purchase information and an item for inputting an instruction to submit the purchase information in the input area to said server apparatus". This feature is not taught or suggested by the prior art. Withdrawal of the rejection of the dependent claims is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: _Dec 7, 2004_   By: _____

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